

Customs Bulletin

Regulations, Rulings, Decisions, and Notices
concerning Customs and related matters



and Decisions

of the United States Court of Customs and
Patent Appeals and the United States
Court of International Trade

Vol. 16

APRIL 28, 1982

No. 17

This issue contains

T.D. 82-66 Through 82-78

Slip Op. 82-22 Through 82-24

Protest Abstracts P82/32 Through P82/38

Reap. Abstracts R82/181 Through R82/202

International Trade Commission Notices

THE DEPARTMENT OF THE TREASURY
U.S. Customs Service

NOTICE

The abstracts, rulings, and notices which are issued weekly by the U.S. Customs Service are subject to correction for typographical or other printing errors. Users may notify the U.S. Customs Service, Logistics Management Division, Washington, D.C. 20229, of any such errors in order that corrections may be made before the bound volumes are published.

U.S. Customs Service

Treasury Decisions

(T.D. 82-66)

Bonds

Approval and discontinuance of Carrier's Bonds, Customs Form 3587

Bonds of carriers for the transportation of bonded merchandise have been approved or discontinued as shown below. The symbol "D" indicates that the bond previously outstanding has been discontinued on the month, day, and year represented by the figures which follow. "PB" refers to a previous bond, dated as represented by figures in parentheses immediately following, which has been discontinued. If the previous bond was in the name of a different company or if the surety was different, the information is shown in a footnote at the end of the list.

Dated: April 8, 1982.

Name of principal and surety	Date of bond	Date of approval	Filed with district director/area director/amount
Allstate Transport, Inc., 2250 Occidental Ave., S., Seattle, WA; motor carrier; St. Paul Fire & Marine Ins. Co.	Jan. 29, 1982	Feb. 24, 1982	Seattle, WA \$25,000
B & P Motor Express Co., 825 W. Federal St., Youngstown, OH; motor carrier; Peerless Ins. Co. (PB 2/10/81) D 3/18/82 ¹	Feb. 12, 1982	Mar. 18, 1982	Baltimore, MD \$25,000
Canadian Pacific Express & Transport Ltd., 2255 Sheppard Ave., E., Willowdale, Ontario, Canada; motor carrier; Continental Ins. Co.	Feb. 1, 1982	Mar. 8, 1982	Seattle, WA \$50,000
ConAgra Transportation, Inc., 5301 W. Channel Rd., P.O.B. N, Catoosa, OK; water carrier; St. Paul Fire & Marine Ins. Co.	Jan. 18, 1982	Mar. 1, 1982	Dallas/Fort Worth, TX \$50,000
Crouse Cartage Co., P.O.B. 586, Carroll, IA; motor carrier; Liberty Mutual Ins. Co.	Mar. 19, 1980	Feb. 25, 1982	Chicago, IL \$50,000

Name of principal and surety	Date of bond	Date of approval	Filed with district director/area director/amount
Curtis Smith Transport, P.O. Box 333, Philipsburg, MT; motor carrier; Old Republic Ins. Co.	Mar. 9, 1982	Mar. 10, 1982	Great Falls, MT \$25,000
Denver & Rio Grande Western Railroad Co., P.O. Box 5482, Denver, CO; motor carrier; Safeco Ins. Co. of America (PB 1/22/69) D 3/3/82 ²	Jan. 22, 1982	Mar. 3, 1982	El Paso, TX \$50,000
Dockside Linemen, Inc., P.O. Box 4250, New Orleans, LA; motor carrier; St. Paul Fire & Marine Ins. Co.	Dec. 17, 1980	Jan. 7, 1981	New Orleans, LA \$25,000
Eagle Trucking Co., P.O. Box 471, Kilgore, TX; motor carrier; Trinity Universal Ins. Co.	Feb. 24, 1982	Feb. 25, 1982	Houston, TX \$25,000
Florian Roll, P.O.B. 1012, Detroit Lakes, MN; motor carrier; Transamerica Ins. Co.	Dec. 17, 1981	Jan. 18, 1982	Minneapolis, MN \$25,000
Fruitbelt Trucking Inc., 12 Smith St., St. Catharines, Ontario, Canada; motor carrier; Royal Ins. Co. of America (PB 1/30/76) D 1/30/82 ³	Jan. 30, 1982	Jan. 30, 1982	Buffalo, NY \$25,000
Graves Trucking Line, Inc., 2130 S. Ohio, P.O.B. 1387, Salina, KS; motor carrier; Safeco Ins. Co. of America	Dec. 10, 1981	Mar. 12, 1982	Dallas/Fort Worth, TX \$50,000
International Trading Systems Corp., 2335 N.W. 107th Ave., Miami, FL; motor carrier; St. Paul Fire & Marine Ins. Co.	Jan. 1, 1982	Mar. 2, 1982	Miami, FL \$25,000
L & M Express, Inc., 3224 Toone St., Baltimore, MD; motor carrier; Ohio Casualty Ins. Co.	Feb. 18, 1982	Feb. 19, 1982	Baltimore, MD \$25,000
NW Transport Service, Inc., d.b.a.: Northwest Transport Service, Inc., 5601 Holly St., Commerce City, CO; motor carrier; Reliance Ins. Co. (PB 7/6/75) D 3/9/82 ⁴	Feb. 20, 1982	Mar. 9, 1982	El Paso, TX \$25,000
National Van Lines, Inc., 2800 Roosevelt Rd., Broadview, IL; motor carrier; Peerless Ins. Co. (PB 11/22/77) D 2/17/82 ⁵	Nov. 22, 1981	Feb. 17, 1982	Chicago, IL \$50,000
Rapid Transit Co., Inc., P.O.B. 277, Jewett City, CT; motor carrier; Great American Ins. Co. (PB 6/9/47) D 7/18/686 ⁶	Apr. 1, 1968	July 18, 1968	Boston, MA \$25,000
Jose E. Santiago—Branderberg, d.b.a.: S & A Trucking Co., 178 Los Mirtos St., Hyde Park, Rio Piedras, PR; motor carrier; Universal Ins. Co.	Feb. 17, 1982	Feb. 22, 1982	San Juan, PR \$25,000
Silver Creek Leasing, Inc., 655 S. Rd., Boynton Beach, FL; motor carrier; Sentry Indemnity Co. D 2/28/82	Feb. 28, 1980	May 23, 1980	Miami, FL \$50,000

Name of principal and surety	Date of bond	Date of approval	Filed with district director/area director/amount
Smith Transport (International) Ltd., 150 Commissioners St., Toronto, Ontario, Canada; motor carrier; Continental Ins. Co.	Dec. 8, 1981	Dec. 29, 1981	Detroit, MI \$50,000
Transportes Mercader, Inc., P.O.B. 55, Catano, PR; motor carrier; Puerto Rican-American Ins. Co. (PB 10/28/77) D 2/23/82	Dec. 16, 1981	Feb. 23, 1982	San Juan, PR \$25,000
Eugene Tripp Trucking, Inc., P.O.B. 2730, Missoula, MT; motor carrier; Old Republic Ins. Co.	Oct. 8, 1981	Mar. 5, 1982	Great Falls, MT \$25,000
United Forwarding, Inc., 7000 W. Center Rd., Omaha, NB; motor carrier; St. Paul Fire & Marine Ins. Co.	Aug. 24, 1981	Sept. 15, 1981	Savannah, GA \$25,000
Wallace Transfer, Ltd., 2830 Norland Ave., Burnaby, B.C., Canada; motor carrier; Ins. Co. of North America (PB 5/6/76) D 3/10/82 ¹	Feb. 17, 1982	Mar. 10, 1982	Seattle, WA \$25,000

¹ Surety is Commercial Union Ins. Co.

² Surety is St. Paul Fire & Marine Ins. Co.

³ Surety is the Continental Ins. Co.

⁴ Principal is Northwest Transport Service, Inc.

⁵ Surety is American Manufacturers Mutual Ins. Co.

⁶ Principal is Rapid Transit Co.

⁷ Surety is Commercial Union Ins. Co.

(BON-3-03)

MARILYN G. MORRISON,
Director,
Carriers, Drawback and Bonds Division.

(T.D. 82-67)

Foreign Currencies—Daily Rates for Countries Not on Quarterly List

The Federal Reserve Bank of New York, pursuant to section 522(c), Tariff Act of 1930, as amended (31 U.S.C. 372(c)), has certified buying rates for the dates and foreign currencies shown below. The rates of exchange, based on these buying rates, are published for the information and use of Customs officers and others concerned pursuant to Part 159, Subpart C, Customs Regulations (19 CFR 159, Subpart C).

Argentina peso:

March 1-5, 1982 \$.000098

Chile peso:

March 1-5, 1982025575

Colombia peso:

March 1-4, 1982016488

March 5, 1982 .....	.016447
Greece drachma:	
March 1, 1982 .....	.016142
March 2, 1982 .....	.016234
March 3, 1982 .....	.016265
March 4, 1982 .....	.016300
March 5, 1982 .....	.016407
Indonesia rupiah:	
March 1-5, 1982 .....	.001541
Israel shekel:	
March 1, 1982 .....	.055036
March 2, 1982 .....	.054645
March 3, 1982 .....	.054645
March 4-5, 1982 .....	.054466
Peru sol:	
March 1-4, 1982 .....	.001814
March 5, 1982 .....	.001798
South Korea won:	
March 1-5, 1982 .....	.001404

(LIQ-03-01 O:C:E)

Dated: March 5, 1982.

ANGELA DE GAETANO,
Chief,
Customs Information Exchange.

(T.D. 82-68)

Foreign Currencies—Variances From Quarterly Rate

The following rates of exchange are based upon rates certified to the Secretary of the Treasury by the Federal Reserve Bank of New York, pursuant to section 522(c), Tariff Act of 1930, as amended (31 U.S.C. 372(c)), and reflect variances of 5 per centum or more from the quarterly rate published in Treasury Decision 81-269 for the following countries. Therefore, as to entries covering merchandise exported on the dates listed, whenever it is necessary for Customs purposes to convert such currency into currency of the United States, conversion shall be at the following rates.

Australia dollar:

March 1, 1982	\$1.0700
March 2, 1982	1.0701
March 3, 1982	1.0705
March 4, 1982	1.0690
March 5, 1982	1.0698

Austria schilling:	
March 1, 1982 .....	.059773
March 2, 1982 .....	.059988
March 3, 1982 .....	.060168
March 4, 1982 .....	.060168
March 5, 1982 .....	.060753
Belgium franc:	
March 1, 1982 .....	.022836
March 2, 1982 .....	.022852
March 3, 1982 .....	.022873
March 4, 1982 .....	.022883
March 5, 1982 .....	.023132
Brazil cruzeiro:	
March 1-5, 1982 .....	.007085
China, P.R. yuan:	
March 1-2, 1982 .....	.542094
Denmark krone:	
March 1, 1982 .....	.124688
March 2, 1982 .....	.125345
March 3, 1982 .....	.125494
March 4, 1982 .....	.125786
March 5, 1982 .....	.126944
Finland markka:	
March 1, 1982 .....	.219515
France franc:	
March 1, 1982 .....	.164298
March 2, 1982 .....	.164813
March 3, 1982 .....	.164962
March 4, 1982 .....	.165289
March 5, 1982 .....	.166583
Germany mark:	
March 1, 1982 .....	.419024
March 2, 1982 .....	.420734
March 3, 1982 .....	.421603
March 4, 1982 .....	.422922
Ireland pound:	
March 1, 1982	1.4780
March 2, 1982	1.4845
March 3, 1982	1.4895
March 4, 1982	1.4950
March 5, 1982	1.5025
Italy lira:	
March 1, 1982 .....	.000780
March 2, 1982 .....	.000783
March 3, 1982 .....	.000784
March 4, 1982 .....	.000783
March 5, 1982 .....	.000791

Japan yen:	
March 1, 1982 .....	.004196
March 2, 1982 .....	.004207
March 3, 1982 .....	.004227
March 4, 1982 .....	.004227
March 5, 1982 .....	.004275
Mexico peso:	
March 1, 1982 .....	.021390
March 2, 1982 .....	.021645
March 3, 1982 .....	.021763
March 4, 1982 .....	.022026
March 5, 1982 .....	.021978
Netherlands guilder:	
March 1, 1982 .....	.381898
March 2, 1982 .....	.383436
March 3, 1982 .....	.384615
March 4, 1982 .....	.385356
New Zealand dollar:	
March 1, 1982 .....	.7835
March 2, 1982 .....	.7825
March 3, 1982 .....	.7830
March 4, 1982 .....	.7836
March 5, 1982 .....	.7855
Portugal escudo:	
March 1, 1982 .....	.014006
March 2, 1982 .....	.014075
March 3, 1982 .....	.014144
March 4, 1982 .....	.014194
March 5, 1982 .....	.014420
Spain peseta:	
March 1, 1982 .....	.009664
March 2, 1982 .....	.009692
March 3, 1982 .....	.009682
March 4, 1982 .....	.009676
March 5, 1982 .....	.009732
Sweden krona:	
March 1, 1982 .....	.172117
Switzerland franc:	
March 1, 1982 .....	.528123
United Kingdom pound:	
March 1, 1982	1.8217
March 2, 1982	1.8125
March 3, 1982	1.8230
March 4, 1982	1.8275

Dated: March 5, 1982.

ANGELA DE GAETANO,
Chief,
Customs Information Exchange.

(T.D. 82-69)

Foreign Currencies—Daily Rates for Countries Not on Quarterly
 List

The Federal Reserve Bank of New York, pursuant to section 522(c), Tariff Act of 1930, as amended (31 U.S.C. 372(c)), has certified buying rates for the dates and foreign currencies shown below. The rates of exchange, based on these buying rates, are published for the information and use of Customs officers and others concerned pursuant to Part 159, Subpart C, Customs Regulations (19 CFR 159, Subpart C).

Argentina peso:	
March 8-11, 1982	\$.000098
March 12, 1982 .....	.000097
Chile peso:	
March 8-12, 1982 .....	.025575
Colombia peso:	
March 8-12, 1982 .....	.016447
Greece drachma:	
March 8, 1982 .....	.016461
March 9, 1982 .....	.016340
March 10, 1982 .....	.016300
March 11-12, 1982 .....	.016313
Indonesia rupiah:	
March 8-12, 1982 .....	.001541
Israel shekel:	
March 8, 1982 .....	.054230
March 9, 1982 .....	.053996
March 10, 1982 .....	.054289
March 11, 1982 .....	.053735
March 12, 1982 .....	.053533
Peru sol:	
March 8-11, 1982 .....	.001798
March 12, 1982 .....	.001779
South Korea won:	
March 8-12, 1982 .....	.001404

(LIQ-03-01 O.C.E.)

Dated: March 12, 1982.

ANGELA DE GAETANO,
Chief,
Customs Information Exchange.

(T.D. 82-70)

Foreign Currencies—Variances From Quarterly Rate

The following rates of exchange are based upon rates certified to the Secretary of the Treasury by the Federal Reserve Bank of New York, pursuant to section 522(c), Tariff Act of 1930, as amended (31 U.S.C. 372(c)), and reflect variances of 5 per centum or more from the quarterly rate published in Treasury Decision 81-269 for the following countries. Therefore, as to entries covering merchandise exported on the dates listed, whenever it is necessary for Customs purposes to convert such currency into currency of the United States, conversion shall be at the following rates.

Australia dollar:

March 8, 1982	\$1.0690
March 9, 1982	1.0640
March 10, 1982	1.0625
March 11, 1982	1.0608
March 12, 1982	1.0595

Austria schilling:

March 9, 1982 .....	.060386
March 10, 1982 .....	.060223
March 11, 1982 .....	.060241
March 12, 1982 .....	.059809

Belgium franc:

March 8, 1982 .....	.023063
March 9, 1982 .....	.022852
March 10, 1982 .....	.022883
March 11, 1982 .....	.022800
March 12, 1982 .....	.022774

Brazil cruzeiro:

March 8, 1982 .....	.007085
March 9-12, 1982 .....	.007085

Denmark krone:

March 8, 1982 .....	.127024
March 9, 1982 .....	.125707
March 10, 1982 .....	.126295
March 11, 1982 .....	.125668
March 12, 1982 .....	.125415

Finland markka:

March 12, 1982219394
----------------------	---------

France franc:

March 8, 1982166639
---------------------	---------

March 9, 1982	164908
March 10, 1982	165344
March 11, 1982	164663
March 12, 1982	164069
Germany mark:	
March 9, 1982	422386
March 11, 1982	421763
March 12, 1982	420256
Ireland pound:	
March 8, 1982	1.5025
March 9, 1982	1.4895
March 10, 1982	1.4955
March 11, 1982	1.4890
March 12, 1982	1.4810
Italy lira:	
March 8, 1982 .....	.000791
March 9, 1982 .....	.000782
March 10, 1982 .....	.000785
March 11, 1982 .....	.000782
March 12, 1982 .....	.000778
Japan yen:	
March 8, 1982 .....	.004268
March 9, 1982 .....	.004210
March 10, 1982 .....	.004215
March 11, 1982 .....	.004177
March 12, 1982 .....	.004165
Mexico peso:	
March 8, 1982 .....	.022075
March 9, 1982 .....	.022051
March 10, 1982 .....	.022026
March 11, 1982 .....	.022075
March 12, 1982 .....	.022065
Netherlands guilder:	
March 9, 1982 .....	.385728
March 11, 1982 .....	.385208
March 12, 1982 .....	.384098
New Zealand dollar:	
March 8, 1982 .....	.7850
March 9, 1982 .....	.7800
March 10, 1982 .....	.7800
March 11, 1982 .....	.7793
March 12, 1982 .....	.7785
Portugal escudo:	
March 8, 1982 .....	.014493
March 9, 1982 .....	.014409
March 10, 1982 .....	.014388
March 11, 1982 .....	.014403
March 12, 1982 .....	.014306

South Africa rand:	
March 9, 1982 .....	.9921
March 10, 1982 .....	.9850
March 11, 1982 .....	.9800
March 12, 1982 .....	.9780
Spain peseta:	
March 8, 1982 .....	.009732
March 9, 1982 .....	.009643
March 10, 1982 .....	.009629
March 11, 1982 .....	.009606
March 12, 1982 .....	.009554
Sweden krona:	
March 11, 1982 .....	.172028
March 12, 1982 .....	.171999
United Kingdom pound:	
March 8, 1982	1.8250
March 9, 1982	1.8035
March 10, 1982	1.8100
March 11, 1982	1.8050
March 12, 1982	1.7975

(LIQ-03-01 O:C:E)

Dated: March 12, 1982.

ANGELA DE GAETANO,
Chief,
Customs Information Exchange.

(T.D. 82-71)

Foreign Currencies—Daily Rates for Countries Not on Quarterly List

The Federal Reserve Bank of New York, pursuant to section 522(c), Tariff Act of 1930, as amended (31 U.S.C. 372(c)), has certified buying rates for the dates and foreign currencies shown below. The rates of exchange, based on these buying rates, are published for the information and use of Customs officers and others concerned pursuant to Part 159, Subpart C, Customs Regulations (19 CFR 159, Subpart C).

Argentina peso:	
March 15, 1982	\$.000097
March 16, 1982 .....	.000078
March 17, 1982 .....	.000088
March 18, 1982 .....	.000088
March 19, 1982 .....	.000090

Chile peso:	
March 15-19, 1982 .....	.025575
Colombia peso:	
March 15, 1982 .....	.016447
March 16, 1982 .....	.016556
March 17, 1982 .....	.016447
March 18, 1982 .....	.016447
March 19, 1982 .....	.016340
Greece drachma:	
March 15, 1982 .....	.016273
March 16, 1982 .....	.016207
March 17, 1982 .....	.016207
March 18, 1982 .....	.016260
March 19, 1982 .....	.016168
Indonesia rupiah:	
March 15-19, 1982 .....	.001541
Israel shekel:	
March 15, 1982 .....	.053533
March 16, 1982 .....	.052882
March 17, 1982 .....	.053220
March 18, 1982 .....	.052882
March 19, 1982 .....	.052493
Peru sol:	
March 15-18, 1982 .....	.001779
March 19, 1982 .....	.001769
South Korea won:	
March 15, 16, 1982 .....	.001399
March 17, 1982 .....	.001398
March 18, 19, 1982 .....	.001398

(LIQ-03-01 O:C:E)

Dated: March 19, 1982.

ANGELA DE GAETANO,
Chief,
Customs Information Exchange.

(T.D. 82-72)

Foreign Currencies—Variances From Quarterly Rate

The following rates of exchange are based upon rates certified to the Secretary of the Treasury by the Federal Reserve Bank of New York, pursuant to section 552(c), Tariff Act of 1930, as amended (31 U.S.C. 372(c)), and reflect variances of 5 per centum or more from the quarterly rate published in Treasury Decision 81-269 for the following countries. Therefore, as to entries covering merchandise exported on the dates listed, whenever it is necessary for Customs

purposes to convert such currency into currency of the United States, conversion shall be at the following rates.

Australia dollar:	
March 15, 1982	\$1.0586
March 16, 1982	1.0599
March 17, 1982	1.0602
March 18, 1982	1.0588
March 19, 1982	1.0565
Austria schilling:	
March 15, 1982 .....	.060132
March 16, 1982 .....	.059880
March 17, 1982 .....	.059916
March 18, 1982 .....	.060060
March 19, 1982 .....	.059630
Belgium franc:	
March 15, 1982 .....	.022748
March 16, 1982 .....	.022650
March 17, 1982 .....	.022573
March 18, 1982 .....	.022366
March 19, 1982 .....	.022371
Brazil cruzeiro:	
March 15, 16, 1982 .....	.006966
March 17, 1982 .....	.006849
March 18, 19, 1982 .....	.006849
China, P.R. yuan:	
March 17, 18, 19, 1982 .....	.542711
Denmark krone:	
March 15, 1982 .....	.125392
March 16, 1982 .....	.125156
March 17, 1982 .....	.125431
March 18, 1982 .....	.124688
March 19, 1982 .....	.123533
Finland markka:	
March 16, 1982 .....	.219298
March 17, 1982 .....	.219154
March 18, 1982 .....	.219250
March 19, 1982 .....	.218103
France franc:	
March 15, 1982 .....	.164258
March 16, 1982 .....	.163185
March 17, 1982 .....	.162973
March 18, 1982 .....	.161290
March 19, 1982 .....	.161290
Germany mark:	
March 15, 1982 .....	.421319
March 16, 1982 .....	.420610
March 17, 1982 .....	.421408

March 18, 1982 .....	.420982
March 19, 1982 .....	.419498
Ireland pound:	
March 15, 1982	1.4850
March 16, 1982	1.4820
March 17, 1982	1.4825
March 18, 1982	1.4775
March 19, 1982	1.4580
Italy lira:	
March 15, 1982 .....	.000780
March 16, 1982 .....	.000778
March 17, 1982 .....	.000776
March 18, 1982 .....	.000767
March 19, 1982 .....	.000764
Japan yen:	
March 15, 1982 .....	.004158
March 16, 1982 .....	.004139
March 17, 1982 .....	.004143
March 18, 1982 .....	.004131
March 19, 1982 .....	.004098
Mexico peso:	
March 15, 1982 .....	.022090
March 16, 1982 .....	.022202
March 17, 1982 .....	.022316
March 18, 1982 .....	.022297
March 19, 1982 .....	.022292
Netherlands guilder:	
March 15, 1982 .....	.384689
March 16, 1982 .....	.383583
March 17, 1982 .....	.383656
March 18, 1982 .....	.382555
March 19, 1982 .....	.381825
New Zealand dollar:	
March 15, 1982 .....	.7780
March 16, 1982 .....	.7765
March 17, 1982 .....	.7770
March 18, 1982 .....	.7770
March 19, 1982 .....	.7750
Portugal escudo:	
March 15, 1982 .....	.014316
March 16, 1982 .....	.014164
March 17, 1982 .....	.014225
March 18, 1982 .....	.014225
March 19, 1982 .....	.014194
South Africa rand:	
March 15, 1982 .....	.9668
March 16, 1982 .....	.9665
March 17, 1982 .....	.9700

CUSTOMS

March 18, 1982 .....	.9690
March 19, 1982 .....	.9630
Spain peseta:	
March 15, 1982 .....	.009619
March 16, 1982 .....	.009588
March 17, 1982 .....	.009590
March 18, 1982 .....	.009582
March 19, 1982 .....	.009542
Sweden krona:	
March 15, 1982 .....	.171644
March 16, 1982 .....	.171306
March 17, 1982 .....	.171600
March 18, 1982 .....	.171086
March 19, 1982 .....	.171600
Switzerland franc:	
March 19, 1982 .....	.527009
United Kingdom pound:	
March 15, 1982	1.8070
March 16, 1982	1.8020
March 17, 1982	1.8092
March 18, 1982	1.8095
March 19, 1982	1.7990

(LIQ-03-01 O:C:E)

Dated: March 19, 1982.

ANGELA DE GAETANO,
Chief,
Customs Information Exchange.

(T.D. 82-73)

Foreign Currencies—Daily Rates for Countries Not on Quarterly
 List

The Federal Reserve Bank of New York, pursuant to section 522(c), Tariff Act of 1930, as amended (31 U.S.C. 372(c)), has certified buying rates for the dates and foreign currencies shown below. The rates of exchange, based on these buying rates, are published for the information and use of Customs officers and others concerned pursuant to Part 159, Subpart C, Customs Regulations (19 CFR 159, Subpart C).

Argentina peso:	
March 29-31, 1982	\$.000089
Chile peso:	
March 29-31, 1982 .....	.025575

Colombia peso:	
March 29, 1982 .....	.0163
March 30-31, 1982 .....	.016300
Greece drachma:	
March 29, 1982 .....	.015924
March 30, 1982 .....	.015898
March 31, 1982 .....	.015886
Indonesia rupiah:	
March 29-31, 1982 .....	.001541
Israel shekel:	
March 29, 1982 .....	.052356
March 30, 1982 .....	.052056
March 31, 1982 .....	.052002
Peru sol:	
March 29-31, 1982 .....	.001753
South Korea won:	
March 29, 1982 .....	.9535
March 30, 1982 .....	.001392
March 31, 1982 .....	.001392

(LIQ-03-01 O:C:E)

Dated: March 31, 1982.

ANGELA DE GAETANO,
Chief,
Customs Information Exchange.

(T.D. 82-74)

Foreign Currencies—Variances From Quarterly Rate

The following rates of exchange are based upon rates certified to the Secretary of the Treasury by the Federal Reserve Bank of New York, pursuant to section 522(c), Tariff Act of 1930, as amended (31 U.S.C. 372(c)), and reflect variances of 5 per centum or more from the quarterly rate published in Treasury Decision 81-269 for the following countries. Therefore, as to entries covering merchandise exported on the dates listed, whenever it is necessary for Customs purposes to convert such currency into currency of the United States, conversion shall be at the following rates.

Australia dollar:	
March 29, 1982	\$1.0505
March 30, 1982	1.0515
March 31, 1982	1.0494
Austria schilling:	
March 29, 1982 .....	.058997
March 30-31, 1982 .....	.058893

Belgium franc:	
March 29, 1982 .....	.021911
March 30, 1982 .....	.021978
March 31, 1982 .....	.021887
Brazil cruzeiro:	
March 29-31, 1982 .....	.006747
China, P.R. Renminbi yuan:	
March 29, 1982 .....	.536826
March 30-31, 1982 .....	.534131
Denmark krone:	
March 29, 1982 .....	.121131
March 30, 1982 .....	.121507
March 31, 1982 .....	.121536
Finland markka:	
March 29, 1982 .....	.216053
March 30, 1982 .....	.215633
March 31, 1982 .....	.216357
France franc:	
March 29, 1982 .....	.159872
March 30, 1982 .....	.160449
March 31, 1982 .....	.159185
Germany mark:	
March 29, 1982 .....	.414079
March 30, 1982 .....	.415282
March 31, 1982 .....	.413650
Ireland pound:	
March 29, 1982	1.436
March 30, 1982	1.4380
March 31, 1982	1.4360
Italy lira:	
March 29-30, 1982 .....	.000758
March 31, 1982 .....	.000755
Japan yen:	
March 29, 1982 .....	.004045
March 30, 1982 .....	.004077
March 31, 1982 .....	.004028
Mexico peso:	
March 29, 1982 .....	.021935
March 30, 1982 .....	.021939
March 31, 1982 .....	.021911
Netherlands guilder:	
March 29, 1982 .....	.374042
March 30, 1982 .....	.374742
March 31, 1982 .....	.373134
New Zealand dollar:	
March 29, 1982 .....	.7670
March 30, 1982 .....	.7678
March 31, 1982 .....	.7650

Norway krone:	
March 29, 1982 .....	.163079
March 30, 1982 .....	.163532
March 31, 1982 .....	.163773
Portugal escudo:	
March 29, 1982 .....	.013976
March 30, 1982 .....	.013928
March 31, 1982 .....	.013899
South Africa rand:	
March 29, 1982 .....	.9535
March 30, 1982 .....	.9517
March 31, 1982 .....	.9540
Spain peseta:	
March 29, 1982 .....	.009392
March 30, 1982 .....	.009387
March 31, 1982 .....	.009361
Sweden krona:	
March 29, 1982 .....	.168407
March 30, 1982 .....	.168379
March 31, 1982 .....	.168435
Switzerland franc:	
March 29, 1982 .....	.516396
March 30, 1982 .....	.518538
March 31, 1982 .....	.515863
United Kingdom pound:	
March 29, 1982	1.7775
March 30, 1982	1.7835
March 31, 1982	1.7810

(LIQ-03-01 O.C.E)

Dated: March 31, 1982.

ANGELA DE GAETANO,
Chief,
Customs Information Exchange.

(T.D. 82-75)

Foreign Currencies—Daily Rates for Countries Not on Quarterly List

The Federal Reserve Bank of New York, pursuant to section 522(c), Tariff Act of 1930, as amended (31 U.S.C. 372(c)), has certified buying rates for the dates and foreign currencies shown below. The rates of exchange, based on these buying rates, are published for the information and use of Customs officers and others con-

cerned pursuant to Part 159, Subpart C, Customs Regulations (19 CFR 159, Subpart C).

Argentina peso:	
March 22, 1982	\$.00009
March 23-25, 1982 .....	.000090
March 26, 1982 .....	.000089
Chile peso:	
March 22-26, 1982 .....	.025575
Colombia peso:	
March 22-25, 1982 .....	.016340
March 26, 1982 .....	.016300
Greece drachma:	
March 22, 1982 .....	.016129
March 23, 1982 .....	.016051
March 24, 1982 .....	.016194
March 25, 1982 .....	.016077
March 26, 1982 .....	.016038
Indonesia rupiah:	
March 22-26, 1982 .....	.001541
Israel shekel:	
March 22, 1982 .....	.052274
March 23-24, 1982 .....	.052383
March 25, 1982 .....	.052165
March 26, 1982 .....	.052356
Peru sol:	
March 22-25, 1982 .....	.001769
March 26, 1982 .....	.001753
South Korea won:	
March 22, 1982 .....	.001396
March 23-25, 1982 .....	.001395
March 26, 1982 .....	.001394

(LIQ-03-01 O:C:E)

Dated: March 26, 1982.

ANGELA DE GAETANO,
Chief,
Customs Information Exchange.

(T.D. 82-76)

Foreign Currencies—Variances From Quarterly Rate

The following rates of exchange are based upon rates certified to the Secretary of the Treasury by the Federal Reserve Bank of New York, pursuant to section 522(c), Tariff Act of 1930, as amended (31 U.S.C. 372(c)), and reflect variances of 5 per centum or more from

the quarterly rate published in Treasury Decision 81-269 for the following countries. Therefore, as to entries covering merchandise exported on the dates listed, whenever it is necessary for Customs purposes to convert such currency into currency of the United States, conversion shall be at the following rates.

Australia dollar:

March 22, 1982	\$1.055
March 23, 1982	1.0550
March 24, 1982	1.0570
March 25, 1982	1.0540
March 26, 1982	1.0532

Austria schilling:

March 22, 1982 .....	.059559
March 23, 1982 .....	.059382
March 24, 1982 .....	.059844
March 25, 1982 .....	.059488
March 26, 1982 .....	.059382

Belgium franc:

March 22, 1982 .....	.022124
March 23, 1982 .....	.022247
March 24, 1982 .....	.022302
March 25, 1982 .....	.022139
March 26, 1982 .....	.022163

Brazil cruzeiro:

March 22-25, 1982 .....	.006849
March 26, 1982 .....	.006747

China, P.R. yuan:

March 22, 1982 .....	.540015
March 23, 1982 .....	.537346
March 24-25, 1982 .....	.540044
March 26, 1982 .....	.536826

Denmark krone:

March 22, 1982 .....	.123495
March 23, 1982 .....	.123077
March 24, 1982 .....	.122850
March 25, 1982 .....	.122624
March 26, 1982 .....	.122587

Finland markka:

March 22, 1982 .....	.218055
March 23, 1982 .....	.217486
March 24, 1982 .....	.218484
March 25, 1982 .....	.217746
March 26, 1982 .....	.216661

France franc:

March 22, 1982 .....	.160102
March 23, 1982 .....	.159898
March 24, 1982 .....	.161160
March 25, 1982 .....	.160128

March 26, 1982 .....	.159681
Germany mark:	
March 22, 1982 .....	.418235
March 23, 1982 .....	.419287
March 24, 1982 .....	.419024
March 25, 1982 .....	.417798
March 26, 1982 .....	.417362
Ireland pound:	
March 22, 1982	1.4550
March 23, 1982	1.4540
March 24, 1982	1.4570
March 25, 1982	1.4510
March 26, 1982	1.4475
Italy lira:	
March 22, 1982 .....	.000763
March 23, 1982 .....	.000765
March 24, 1982 .....	.000766
March 25-26, 1982 .....	.000760
Japan yen:	
March 22, 1982 .....	.004077
March 23, 1982 .....	.004083
March 24, 1982 .....	.004105
March 25, 1982 .....	.004076
March 26, 1982 .....	.004047
Mexico peso:	
March 22, 1982 .....	.022306
March 23, 1982 .....	.022297
March 24, 1982 .....	.022287
March 25, 1982 .....	.022139
March 26, 1982 .....	.021930
Netherlands guilder:	
March 22, 1982 .....	.378788
March 23, 1982 .....	.379291
March 24, 1982 .....	.378358
March 25, 1982 .....	.376861
March 26, 1982 .....	.376790
New Zealand dollar:	
March 22, 1982 .....	.7744
March 23, 1982 .....	.7740
March 24, 1982 .....	.7750
March 25, 1982 .....	.7725
March 26, 1982 .....	.7705
Portugal escudo:	
March 22, 1982 .....	.014164
March 23, 1982 .....	.014104
March 24, 1982 .....	.014154
March 25, 1982 .....	.014124
March 26, 1982 .....	.014025

South Africa rand:	
March 22, 1982 .....	.9613
March 23, 1982 .....	.9618
March 24, 1982 .....	.9628
March 25, 1982 .....	.9600
March 26, 1982 .....	.9572
Spain peseta:	
March 22, 1982 .....	.009495
March 23, 1982 .....	.009467
March 24, 1982 .....	.009542
March 25, 1982 .....	.009477
March 26, 1982 .....	.009416
Sweden krona:	
March 22, 1982 .....	.170576
March 23, 1982 .....	.170765
March 24, 1982 .....	.170503
March 25, 1982 .....	.169837
March 26, 1982 .....	.169348
Switzerland franc:	
March 22, 1982 .....	.524797
March 23, 1982 .....	.527426
March 24, 1982 .....	.526593
March 25, 1982 .....	.524521
March 26, 1982 .....	.522739
United Kingdom pound:	
March 22, 1982	1.7978
March 23, 1982	1.8020
March 24, 1982	1.8045
March 25, 1982	1.7955
March 26, 1982	1.7900

(LIQ-03-01 O:C:E)

Dated: March 26, 1982.

ANGELA DE GAETANO,
Chief,
Customs Information Exchange.

(T.D. 82-77)

Notice of Recordation of Trade Name "Bristol-Myers Company"

On February 3, 1982, there was published in the Federal Register (47 FR 5063), a notice of application for the recordation under section 42 of the Act of July 5, 1946, as amended (15 U.S.C. 1124), of the trade name "Bristol-Myers Company." The notice advised that prior to final action on the application, filed pursuant to section

133.12, Customs Regulations (19 CFR 133.12), consideration would be given to relevant data, views, arguments submitted in opposition to the recordation and received not later than 60 days from the date of publication of the notice. No responses were received in opposition to the application.

The name "Bristol-Myers Company" is hereby recorded as the trade name of Bristol-Myers Company, a corporation organized under the laws of the State of Delaware, located at 345 Park Avenue, New York, New York 10154. The trade name is used in connection with the following merchandise manufactured in numerous foreign countries: pharmaceuticals and medicines for human and veterinary use; vitamins, deodorants and oral hygiene preparations for human use; cosmetics and toiletries; medical appliances; small electrical appliances; and nutritional foods.

Dated: April 14, 1982.

DONALD W. LEWIS,

Director,

Entry Procedures and Penalties Division.

[Published in the Federal Register, April 19, 1982 (47 FR 16699)]

(T.D. 82-78)

Notice of Recordation of Trade Name "Clairol Incorporated"

On February 3, 1982, there was published in the Federal Register (47 FR 5063), a notice of application for the recordation under section 42 of the Act of July 5, 1946, as amended (15 U.S.C. 1124), of the trade name "Clairol Incorporated." The notice advised that prior to final action on the application, filed pursuant to section 133.12, Customs Regulations (19 CFR 133.12), consideration would be given to relevant data, views, or arguments submitted in opposition to the recordation and received not later than 60 days from the date of publication of the notice. No responses were received in opposition to the application.

The name "Clairol Incorporated" is hereby recorded as the trade name of Clairol Incorporated, a corporation organized under the laws of the State of Delaware, located at 345 Park Avenue, New York, New York 10154. The trade name is used in connection with the following merchandise which is manufactured in numerous foreign countries: hair coloring, hair care products, electrical appliances, cosmetics and toiletries.

Dated: April 14, 1982.

DONALD W. LEWIS,

Director,

Entry Procedures and Penalties Division.

[Published in the Federal Register, April 19, 1982 (47 FR 16699)]

United States Court of International Trade

One Federal Plaza
New York, N.Y. 10007

Chief Judge

Edward D. Re

Judges

Paul P. Rao
Morgan Ford
Scovel Richardson*
Frederick Landis

James L. Watson
Herbert N. Maletz
Bernard Newman
Nils A. Boe

Senior Judge

Samuel M. Rosenstein

Clerk

Joseph E. Lombardi

Decisions of the United States Court of International Trade

(Slip Op. 82-22)

O'HARE SERVICES, INC., ET AL., PLAINTIFFS V. UNITED STATES, ET AL., DEFENDANTS*

Court No. 81-3-00296

Memorandum to Accompany Order

(Dated March 30, 1982)

FORD, *Judge*: Plaintiffs on August 3, 1981 instituted discovery by serving defendants with "Plaintiffs' First Interrogatories to Defendants." The interrogatories included among other things questions relating to the distribution of the proceeds of Customs auctions of unclaimed or abandoned merchandise. These auctions are held periodically and such information was requested for the years 1975 through 1980.

Defendants on October 8, 1981 served replies to plaintiffs' interrogatories and their objections to interrogatories 2, 3, 4, 5 and 6 to the extent they seek information for 1975, 1976, 1977 and the first six months of 1978. The objection of defendants is that the above periods of time are barred by the statute of limitations covering actions brought in this court. *See* 28 U.S.C. 2636(i).

Plaintiffs contend the action may be commenced within six years from the time the action accrues and accordingly the periods of time to 1975 are relevant for discovery purposes. The fact that evidence obtained by discovery will not be admissible at the trial is not ground for objection under Rule 26(b) of the rules of this court. However, the information sought must be reasonably calculated to lead to the discovery of admissible evidence.

The statutory language of 28 U.S.C. 2636(i) is as follows:

A civil action of which the Court of International Trade has jurisdiction under section 1581 of this title, other than an action specified in subsections (a)-(h) of this section, is barred unless commenced in accordance with the rules of the court within two years after the cause of action first accrues.

The language of 28 U.S.C. 2401(a) provides as follows:

Except as provided by the Contract Disputes Act of 1978, every civil action commenced against the United States shall be barred unless the complaint is filed within six years after the right of action first accrues. The action of any person

*Died March 30, 1982.

under legal disability or beyond the seas at the time the claim accrues may be commenced within three years after the disability ceases.

There is nothing which precludes the application of a short limitation to actions. *United States v. A. S. Kreider Co.*, 313 U.S. 443, 85 L.Ed. 1447, 61 S.Ct. 1007 (1941); *United Sand and Gravel Contractors, Inc. v. United States*, 624 F. 2d 733 (5th Cir. 1980); *Gordon v. United States*, 649 F. 2d, 837 (Ct. Cl. 1981). The specific statute covering the institution of actions in this court controls over a general provision. The legislative history covering 28 U.S.C. 2636(i) indicates the shorter statute of limitations as being applicable to actions instituted in this court. Senate Report 96-466 to accompany S. 1654 made the following comment with respect to section 2636(g) which subsequently became 2636(i):

Proposed section 2636(g) establishes a 2-year time limit for the commencement of suit. This time limit is in accord with the general law governing suits against the United States.

The House Report 96-1235 to accompany H.R. 7540 made the following observation with respect to the statute of limitations intended to cover actions commenced in this court:

Subsection (i) is a general provision governing the time limit for commencement of all civil actions other than those specifically enumerated in proposed subsections (a)-(h) of this section. This subsection establishes a two-year time limit for the commencement of such suits.

Accordingly it is evident the discovery demand for periods of time prior to March 19, 1978 will not lead to discovery of admissible evidence.

It is to be noted the language of 28 U.S.C. 2631(i) specifically limits the time to commence an action "within two years after the cause of action first accrues." The failure of Customs to properly distribute the proceeds of auction sales is the act of which plaintiffs complain. Therefore, any acts prior to two years is beyond the time the action first accrued. In the absence of legislative history indicating Congress intended a meaning other than that accepted by the courts in the past, of the term "accrues," the common meaning of said term must be used. *United States v. Lindsay*, 346 U.S. 569 (1954).

It is fundamental that a sovereign cannot be sued without its consent. The involved provision granting consent as prescribed therein must be strictly construed. *United States v. Boe*, 64 CCPA 11, 543 F. 2d 151, C.A.D. 1177 (1976). Plaintiffs' contention that a statute of limitations cannot be shortened and thereafter applied in such a manner as to bar pre-existing cause is without merit. The withdrawal of consent by the United States to be sued does not violate the Fifth Amendment of the Constitution. *Lynch v. United States*, 292 U.S. 571 (1934); *Perry v. United States*, 294 U.S. 330

(1935); *Maricopa County v. Valley National Bank of Phoenix*, 318 U.S. 357 (1943).

Accordingly, plaintiffs' motion to compel is denied.

(Slip Op. 82-23)

CONNORS STEEL COMPANY, PLAINTIFF V. THE UNITED STATES,
DEFENDANT

Court No. 80-3-00478

Before WATSON, *Judge*.

Order and Modification of Slip Op. 81-110

[Motion granted in part.]

(Dated April 2, 1982)

WATSON, *Judge*: Defendant has moved for a rehearing and modification of this Court's opinion in Slip Op. 81-110.¹ That opinion was entered in an action for judicial review under Section 516(d) of the Tariff Act of 1930, as amended by Trade Act of 1974 (19 U.S.C. 1516(d)) of an administrative decision which terminated a dumping investigation by finding that certain Belgian steel beams were *not* being sold here at less than fair value. The Court found that the administrative investigation should have extended into the question of whether the Belgian home market sales (upon which the administrative decision relied) were at prices less than the cost of production. The Court remanded the matter to the Secretary of Commerce to investigate that question.

Defendant now argues that the statute does not require that a cost of production inquiry be commenced in the final three month period of a dumping investigation. It reasons that such an inquiry is a complicated matter, which properly belongs in the first six month phase of the proceeding, because that phase may be extended by three months for complicated matters under Section 201(b)(3) of Antidumping Act of 1921, as amended by the Trade Act of 1974 (19 U.S.C. 160(b)(3)), because the final three month period is needed for a possible hearing prior to the final determination and also for the preparation of the supporting findings and reasoning, which must accompany the publication of the final determination. Although these facts may make the initial period more amenable to the making of a cost of production inquiry, they do not establish a *restriction* of said inquiry to that period. This is reasoning based on the greater administrative convenience of one period rather than another and is not as significant as the specific statutory mandate contained in Section 205(b) of the Antidumping Act of

¹ An amicus brief, in support of defendant's motion has been filed by Cockerill-Sambre, S.A. and Cockerill-Stinnes Steel Corporation, who are respectively the manufacturer and importer of the steel beams involved in this action.

1921, as amended by the Trade Act of 1974 (19 U.S.C. 164(b)) that a cost of production investigation had to be made "whenever" the Secretary had reason to believe or suspect that sales in the home market had been at less than cost of production. This investigatory obligation applies to the entire period of investigation, which includes the final three month term, and should not be diminished without an explicit expression of legislative intention.

Although the Court finds no statutory bar to requiring the commencement of a cost of production inquiry in the final three month segment of the investigation, it does find merit in defendant's alternative argument that it should have a chance to explain the finding that in the administrative decision that "other information presented by Counsel for petitioner relevant to the cost of production of certain steel I-beams from Belgium, was presented too late to be considered." Upon further reflection, the Court believes it acted precipitously when, in conjunction with finding the explanation inadequate, it immediately concluded that sufficient time remained to make the investigation. The correct and more deliberate judicial policy in this matter would be to allow the administrative agency an opportunity to explain its reasons for concluding that time did not permit an inquiry into the question of cost of production, and for the Court to then review that explanation in light of the appropriate standard of review. *SCM Corp. v. United States*, 84 Cust. Ct. 227, C.R.D. 80-2, 487 F. Supp. 96 (1980).

It is true that it would have been possible for defendant to have addressed this matter in the initial judicial review and that might have led the Court to resolve the question at that time. Nevertheless, this motion is an appropriate vehicle in which to modify the earlier opinion. Accordingly, the terms of the remand are hereby modified to delete the requirement of a cost of production investigation and instead, the Secretary of Commerce is ordered to submit to the Court within sixty (60) days of the date of entry of this Order, a statement of the reasons for the conclusion in the original administrative determination that other information relevant to the cost of production was presented "too late to be considered."

(Slip Op. 82-24)

ADORENCE COMPANY, INC., PLAINTIFF *v.* UNITED STATES,
DEFENDANT

Court No. 77-6-00924

Memorandum and Order

(Dated April 2, 1982)

WATSON, Judge: The question before the Court is whether defendant was correct when it rejected plaintiff's request for reliquidation of three entries of synthetic knitwear from Korea. Plaintiff sought

reliquidation in order to present amended purchase orders which would support a lower valuation and which had mistakenly not been submitted to the Customs Service.

On September 23, 1975 plaintiff filed its petitions for reliquidation under 19 U.S.C. 1520(c)(1), *as amended* by the Customs Courts Act of 1970, Public Law 91-271, § 210, 84 Stat. 287 (section 520(c)(1) of the Tariff Act of 1930, as amended).¹ Plaintiff's petitions were denied on the grounds that they were not timely filed, and did not set forth appropriate grounds for relief under section 520(c)(1).

Plaintiff then commenced this action and the matter is now before the Court on plaintiff's motion for summary judgment and defendant's motion to dismiss and cross-motion for summary judgment. The cross motions for summary judgment involve the question of whether the reasons for which plaintiff sought reliquidation were of the type provided for in section 520(c)(1). However, because the motion to dismiss raises the question of whether the requests for liquidation were timely filed, it places the jurisdiction of the Court in issue and must be addressed at the outset. Obviously, if the plaintiff did not request reliquidation within the time provided by law, an essential jurisdictional prerequisite to the bringing of such an action is lacking.

The timing of requests for reliquidation of this type is controlled by the final portion of 520(c)(1). A party is given one year after the date of entry or transaction, or 90 days after the liquidations or exaction if that occurs more than nine months after the date of entry. In other words, the time can extend beyond a year from the date of entry if the liquidation takes place more than nine months after entry.

In this action, the dates of entry were August 7th, September 4th and September 19th of 1974 and the dates of liquidation were December 6, 1974 and May 23 and May 30, 1975. As will be recalled, plaintiff filed its petition for reliquidation on September 23, 1975. Due to the fact that the liquidations took place less than nine months after the dates of entry it would appear that the requests for reliquidation had to be made within one year of the dates of entry, a period which had expired before the requests were filed in this action. Nevertheless, plaintiff argues here that it had one year from the dates of liquidation to request reliquidation.

It reaches that point by first positing that the use of the wrong value information by the appraising official at the time of liquidation was an error separate and apart from the earlier submission of the wrong information by plaintiff in the entry. It then characterizes the act of liquidation as a "transaction," one of the two

¹ Section 520(c)(1) provides that:

(c) Notwithstanding a valid protest was not filed, the appropriate Customs officer may, in accordance with the regulations prescribed by the Secretary, reliquidate an entry to correct " * * * .

(1) a clerical error, mistake of fact, or other inadvertence not amounting to an error in the construction of a law, adverse to the importer and manifest from the record or established by documentary evidence, in an entry, liquidation, or other inadvertence is brought to the attention of the Customs Service within one year after the date of the entry, or transaction, or within 90 days after liquidation or exaction when the liquidation or exaction is made more than nine months after the date of the entry, or transaction;

events from which the statute allows a year for the making of a request for reliquidation.

The Court does not accept the concept of repetitive error with which plaintiff's reasoning begins. Without characterizing the nature of the error—and this is a question the Court does not reach—it is the opinion of the Court that the error occurred only once, specifically when incorrect values were placed on the entry papers by plaintiff. The later uses of the erroneous data do not constitute new errors but rather are the unavoidable and normal manifestations of the original error. If plaintiff's reasoning was correct, there would be no reason for the statute to specify any events prior to the liquidation because all errors would eventually be incorporated or accumulate in the liquidation and constitute errors at that final state. By specifying certain events the statute recognizes that errors are discrete events and that their occurrence can be fixed in time and associated with one or the other of the steps in the administrative process of importation.

These errors were made in the entries and the statute clearly allows either a year from that time or 90 days after the liquidation if they are liquidated more than nine months after entry.

If the error had occurred in the liquidation for the first time then there would be some plausibility to plaintiff's argument that the liquidation would be one of those customs transactions from which a year would be allowed for correcting errors. Here, however, if there was a mistake in the liquidation, it resulted solely from the error in the entry. Therefore, in these circumstances the liquidation is simply the final administrative act which, if it occurred more than nine months after entry, gave a party only 90 more days to correct an error. Since the liquidations here were done less than nine months after entry the only relevant time period was one year from entry. Having failed to request reliquidation within that time plaintiff did not satisfy the statutory time limits and defendant was correct to reject its requests on that ground.

Plaintiff purports to find support for its claim to one year from liquidation in the 1970 amendment to this provision in which specific mention of appraisement was deleted from the statute. The deletion reflected the consolidation of the appraisement decision into a single liquidation procedure. In its explanation of the deletion of specific mention of appraisement the committee stated that "Since any element of the liquidation continues to be subject to such a petition, the appraisement itself remains subject to existing rights under section 520(c)(1)." H. Rep. No. 91-267, 91st Cong., 2d Sess. 3217 (1970).

This fragment of legislative history and the amendment it explained had nothing to do with the time limitations contained in the statute. Whether the act of appraisement was mentioned separately or subsumed in the act of liquidation, the time to seek a reliquidation for errors in an entry could not be extended beyond

90 days after liquidation and then only if the liquidation was taking place more than nine months after the date of entry. It was only at a later time, after the period relevant to this action that Congress amended section 520(c)(1) to permit a request for reliquidation to be made within one year of the date of liquidation. *See*, S. Rep. No. 95-410, 95th Cong., 2d Sess. 2243 (1978).

In this action the liquidations took place within nine months of the dates of entry. Consequently, under the law in effect at the time, plaintiff had one year from the dates of entry to make the requests for reliquidation. It follows that defendant is correct in arguing that the requests were untimely and that the Court lacks jurisdiction. *St. Regis Paper Co. v. United States*, — CIT —, Slip Op. 81-100, 15:48 Cust. Bull. 35 (November 3, 1981). Plaintiff's argument for an extended period of time finds no support in *C. J. Tower & Sons of Buffalo, Inc. v. United States*, 61 CCPA 90, C.A.D. 1129, 499 F. 2d 1277 (1974), in that the request for reliquidation in that action was timely and it was merely the filing of supporting documents which took place later.

In light of the above, the Court orders that this action be, and the same hereby is, dismissed for lack of jurisdiction.

Decisions of the United States Court of International Trade

Abstracts

Abstracted Protest Decisions

DEPARTMENT OF THE TREASURY, April 5, 1982.

The following abstracts of decisions of the United States Court of International Trade at New York are published for the information and guidance of officers of the Customs and others concerned. Although the decisions are not of sufficient general interest to print in full, the summary herein given will be of assistance to Customs officials in easily locating cases and tracing important facts.

WILLIAM VON RAAB,
Commissioner of Customs.

Decision number	Judge & date of decision	Plaintiff	Court No.	Assessed	Held		Basis	Port of entry and merchandise
				Par. or Item No. and Rate	Par. or Item No. and Rate			
P82/32	Rao, J. March 29, 1982	F. W. Myers (Atlantic) & Co., Inc.	80-4-00623, etc.	Items 683.50 and 682.05 6.5% and 12.5% (merchandise classified as two separate articles) Appraised as two separate articles on basis of constructed value	Item 683.50 Dutiable as 6.5% entireties on basis of constructed value at \$19.50 each, packed, less ocean freight and insurance	F. W. Myers (Atlantic) & Co., Inc. v. U.S. (Abs. P80/113)	New York Rechargeable speed razors, HP 1312; entreties	
P82/33	Ford, J. March 29, 1982	J. C. Penney Purchasing Corporation	75-1-00265, etc.	Item 380.84 or 382.81 25¢ per lb. + 27.5%	Item 376.56 16.5%	H. Rosenthal Co. v. U.S. (C.D. 4769, aff'd C.A.D. 1286)	San Francisco 100% nylon snowmobile suits	
P82/34	Richardson, J. March 29, 1982	F. W. Myers & Co., Inc.	74-6-01543	Item 608.05 0.3¢ per lb.	Item 608.02 Duty free	F. W. Myers & Co., Inc. v. U.S. (C.D.'s 4635 and 4872)	Alexandria Bay (Ogdensburg); Buffalo Sponge iron powders	
P82/35	Watson, J. March 29, 1982	APF Electronics Inc.	73-5-01274	Item 685.30 9.5% or 8%	Item 678.50 6%	Montgomery Ward & Co. v. U.S. (C.D. 4573)	Seattle Combination article which con- tains a tape player	
P82/36	Watson, J. March 29, 1982	All Channel Products	81-4-00382	Item 685.90 8.5%	Item 685.20 or 685.19 5% or 4.8%	All Channel Products Corp. v. U.S. (Slip Op. 81-8)	New York Parts of television apparatus	
P82/37	Watson, J. March 29, 1982	Ciba-Geigy Corporation	76-2-00490	Item 407.85 1.7¢ per lb. + 12.5%	Item 437.32 5%	Ciba-Geigy Corporation v. U.S. (C.A.D. 1210)	New York Antibiotic drug rimactane	
P82/38	Watson, J. March 29, 1982	Nafone Inc.	73-5-01259	Item 405.25 12.5% + 1.9¢ per lb., or 10.5% + 1.0¢ per lb.	Item 494.60 3% or 2.5%	Nafone, Inc. v. U.S. (C.D. 4578, aff'd C.A.D. 1166)	New York Desmocoll 400, 420, 176, etc.	

Decisions of the United States Court of International Trade

Abstracts *Abstracted Reappraisal Decisions*

Decision number	Judge & date of decision	Plaintiff	Court No.	Basis of valuation	Held value	Basis	Port of entry and merchandise
B82/181	Re, C.J. March 29, 1982	American Honda Motor Company Inc.	77-6-01005	Export value	Unit values shown on schedule of values attached to decision and judgment	Agreed statement of facts	Los Angeles Motorcycles
B82/182	Re, C.J. March 29, 1982	E. Dillingham, Inc.	R66/24270	Cost of production	As set forth in decision and judgment in column designated "Total Cost of Production of Basic Automobiles" at amounts in Canadian currency, including value of U.S. components as appraised; value of optional equipment on each automobile in Canadian currency is value found by appraising official as reflected on invoices	U.S. v. C.J. Tower & Sons of Buffalo, Inc. (C.A.D. 1079)	Alexandria Bay (Ogdensburg) Studebaker automobiles and optional equipment

Decision number	Judge & date of decision	Plaintiff	Court No.	Basis of valuation	Held value	Basis	Port of entry and merchandise
R82/183	Re C.J. March 29, 1982	Evergreen Trading Co.	81-5-00642	Export value	Invoice unit prices as entered	Agreed statement of facts	Los Angeles Miscellaneous articles
R82/184	Re C.J. March 29, 1982	Jinlar Corporation	79-4-00944	Export value	Entered value	Agreed statement of facts	New York Footwear with midsoles containing iron powder
R82/185	Re C.J. March 29, 1982	F.W. Myers & Co., Inc.	R67/5199	Cost of production	As set forth in decision and judgment in column designated "Total Cost of Production of Basic Automobiles" at amounts in Canadian currency including value of U.S. components as appraised; value of optional equipment on each automobile in Canadian currency is value found by appraising official as reflected on invoices	U.S. v. C.J. Tower & Sons of Buffalo, Inc. (C.A.D. 1079)	Port Huron (Detroit) Studebaker automobiles and optional equipment
R82/186	Re C.J. March 29, 1982	Perkin Elmer Corporation	79-9-01480	Export value	Invoice unit prices, net, packed; said prices represent the exporters list prices less 35% discount	Agreed statement of facts	JFK Int'l Airport (New York) Various electrical instruments and accessories
R82/187	Re C.J. March 30, 1982	Toshoku, Ltd.	R69/8364	Export value	Invoice unit prices, net, packed	Agreed statement of facts	New York Canvas deck shoes containing iron powder in insoles or midsoles

R82/188	Re, C.J. March 30, 1982	C.J. Tower & Sons of Buffalo, Inc.	R69/514	Cost of production	As set forth in decision and judgment in column designated "Total Cost of Production" at amounts in Canadian currency, including value of U.S. components as appraised; value of optional equipment on each automobile in Canadian currency is value found by appraising official as reflected on invoices	U.S. v. C.J. Tower & Sons of Buffalo, Inc. (C.A.D. 1079)	Buffalo Studebaker automobiles and optional equipment
R82/189	Re, C.J. March 30, 1982	C.J. Tower & Sons of Buffalo, Inc.	R69/515	Cost of production	As set forth in decision and judgment in column designated "Total Cost of Production" at amounts in Canadian currency, including value of U.S. components as appraised; value of optional equipment on each automobile in Canadian currency is value found by appraising official as reflected on invoices	U.S. v. C.J. Tower & Sons of Buffalo, Inc. (C.A.D. 1079)	Buffalo Studebaker automobiles and optional equipment
R82/190	Re, C.J. March 30, 1982	C.J. Tower & Sons of Buffalo, Inc.	R69/528	Cost of production	As set forth in decision and judgment in column designated "Total Cost of Production" at amounts in Canadian currency, including value of U.S. components as appraised; value of optional equipment on each automobile in Canadian currency is value found by appraising official as reflected on invoices	U.S. v. C.J. Tower & Sons of Buffalo, Inc. (C.A.D. 1079)	Buffalo Studebaker automobiles and optional equipment

Decision number	Judge & date of decision	Plaintiff	Court No.	Basis of valuation	Held value	Basis	Port of entry and merchandise
R82/191	Re, C.J. March 30, 1982	C.J. Tower & Sons of Buffalo, Inc.	R69/529	Cost of production	As set forth in decision and judgment in column designated "Total Cost of Production" at amounts in Canadian currency, including value of U.S. components as appraised; value of optional equipment on each automobile in Canadian currency is value found by appraising official as reflected on invoices	U.S. v. C.J. Tower & Sons of Buffalo, Inc. (C.A.D. 1079)	Buffalo Studebaker automobiles and optional equipment
R82/192	Re, C.J. March 30, 1982	C.J. Tower & Sons of Buffalo, Inc.	R70/7489	Cost of production	As set forth in decision and judgment in column designated "Total Cost of Production" at amounts in Canadian currency, including value of U.S. components as appraised; value of optional equipment on each automobile in Canadian currency is value found by appraising official as reflected on invoices	U.S. v. C.J. Tower & Sons of Buffalo, Inc. (C.A.D. 1079)	Buffalo Studebaker automobiles and optional equipment
R82/193	Ford, J. March 30, 1982	J.E. Bernard & Co., Inc.	75-1-00298	Export value	Invoiced unit prices less nondutiable charges included therein	J.E. Bernard & Co., Inc. v. U.S. (C.D. 4850)	Chicago Parts of aircraft environmental control systems
R82/194	Ford, J. March 30, 1982	J.E. Bernard & Co., Inc.	75-1-00300	Export value	Invoiced unit prices less nondutiable charges included therein	J.E. Bernard & Co., Inc. v. U.S. (C.D. 4850)	Chicago Parts of aircraft environmental control systems

R82/195	Ford, J. March 31, 1982	C.J. Tower & Sons of Buffalo, Inc.	R89/513	Cost of production	As set forth in decision and judgment in column designat- ed "Total Cost of Production" at amounts in Canadian currency, including value of U.S. components as appraised; value of optional equipment on each automobile in Canadian currency is value found by appraising differ- ential as reflected on in- voices	U.S. v. C.J. Tower & Sons of Buffalo, Inc. (C.A.D. 1079)	Buffalo Studebaker automobiles and optional equipment
R82/196	Watson, J. March 31, 1982	A & A Trading Corp.	72-11-02215, etc.	Export value	Appraised values less amounts included as com- missions	A & A Trading Corp. v. U.S. (C.D. 4472)	San Francisco Miscellaneous articles
R82/197	Watson, J. March 31, 1982	A & A Trading Corp.	72-11-02216, etc.	Export value	Appraised values less amounts included as com- missions	A & A Trading Corp. v. U.S. (C.D. 4472)	Seattle Miscellaneous articles
R82/198	Watson, J. April 1, 1982	A & A Trading Corp.	72-11-02244, etc.	Export value	Appraised values less amounts included as com- missions	A & A Trading Corp. v. U.S. (C.D. 4472)	Los Angeles Miscellaneous articles
R82/199	Watson, J. April 1, 1982	A & A Trading Corp.	73-1-00111, etc.	Export value	Appraised values less amounts included as com- missions	A & A Trading Corp. v. U.S. (C.D. 4472)	New York Miscellaneous articles
R82/200	Watson, J. April 1, 1982	A & A Trading Corp.	73-9-02613, etc.	Export value	Appraised values less amounts included as com- missions	A & A Trading Corp. v. U.S. (C.D. 4472)	Dallas/Fort Worth (Houston) Miscellaneous articles
R82/201	Watson, J. April 1, 1982	A & A Trading Corp.	77-8-01972	Export value	Appraised values less amounts included as com- missions	A & A Trading Corp. v. U.S. (C.D. 4472)	Boston Miscellaneous articles
R82/202	Watson, J. April 1, 1982	Compass Instrument & Optical Co., Inc.	R60/17822, etc.	Export value	F.o.b. unit invoice prices plus 20% of difference be- tween f.o.b. unit invoice prices and appraised values	Agreed statement of facts A & A Trading Corp. v. U.S. (C.D. 4472)	New York Binoculars

International Trade Commission Notices

Investigations by the U.S. International Trade Commission

DEPARTMENT OF THE TREASURY, APRIL 14, 1982

The appended notices relating to investigations by the U.S. International Trade Commission are published for the information of Customs officers and others concerned.

WILLIAM VON RAAB,
Commissioner of Customs.

Investigation No. 731-TA-90 (Preliminary)

CHLORINE FROM CANADA

AGENCY: United States International Trade Commission.

ACTION: Institution of preliminary antidumping investigation and scheduling of a conference to be held in connection with the investigation.

SUMMARY: The International Trade Commission hereby gives notice of the institution of investigation No. 731-TA-90 (Preliminary) under section 733(a) of the Tariff Act (19 U.S.C. 1673b(a)) to determine whether there is a reasonable indication that an industry in the United States is materially injured, or is threatened with material injury, or the establishment of an industry in the United States is materially retarded, by reasons of imports from Canada of chlorine, provided for in item 415.20 of the TSUS, which are alleged to be sold in the United States at less than fair value.

EFFECTIVE DATE: April 5, 1982.

FOR FURTHER INFORMATION CONTACT: Ms. Vera Libeau, Office of Investigations, U.S. International Trade Commission; telephone 202-523-0368.

SUPPLEMENTARY INFORMATION:

Background.—This investigation is being instituted following receipt of a petition filed by counsel for Diamond Shamrock Corp., Olin Corp., and Pennwalt Corp. The Commission must make its de-

termination in this investigation within 45 days after the date of the filing of the petition, or by May 20, 1982 (19 CFR 207.17). This investigation will be subject to the provisions of part 207 of the Commission's Rules of Practice and Procedure (19 CFR 207, 44 F.R. 76457 and 47 F.R. 6190), and particularly subpart B thereof.

Written submissions.—Any person may submit to the Commission on or before May 3, 1982, a written statement of information pertinent to the subject matter of this investigation. A signed original and fourteen copies of such statements must be submitted.

Any business information which a submitter desires the Commission to treat as confidential shall be submitted separately, and each sheet must be clearly marked at the top "Confidential Business Data." Confidential submissions must conform with the requirements of section 201.6 of the Commission's Rules of Practice and Procedure (19 CFR 201.6). All written submissions, except for confidential business data, will be available for public inspection.

Conference.—The Director of Operations of the Commission has scheduled a conference in connection with this investigation for 10:00 a.m., or April 29, 1982, at the U.S. International Trade Commission Building, 701 E Street NW., Washington, D.C. Parties wishing to participate in the conference should contact the supervisory investigator for the investigation, Ms. Vera Libeau, telephone 202-523-0368, not later than April 27, 1982, to arrange for their appearance. Parties in support of the imposition of antidumping duties in this investigation and parties in opposition to the imposition of such duties will each be collectively allocated one hour within which to make an oral presentation at the conference.

For further information concerning the conduct of this investigation and rules of general application, consult the Commission's Rules of Practice and Procedure, part 207, subparts A and B (19 CFR 207), and part 201, subparts A through E (19 CFR 201). Further information concerning the conduct of the conference will be provided by Ms. Libeau.

This notice is published pursuant to section 207.12 of the Commission's Rules of Practice and Procedure (19 CFR 207.12).

By order of the Commission.

Issued: April 8, 1982.

KENNETH R. MASON,
Secretary.

Notice of Termination of Investigation No. 332-138

COMPETITIVE ASSESSMENT OF THE U.S. METALWORKING MACHINE
TOOL INDUSTRY

AGENCY: United States International Trade Commission.

ACTION: Termination of investigation.

EFFECTIVE DATE: April 7, 1982.

BACKGROUND: The Commission, on its own motion, instituted, effective February 5, 1982, investigation No. 332-138, under section 332(b) of the Tariff Act of 1930 (19 U.S.C. 1332(b)), for the purpose of gathering and presenting information on the competitive position of the U.S. metalworking machine tool industry. This study was to assess the impact of the growing competition from imports on the U.S. metalworking machine tool industry, explore the related development of further competition in the industry's overseas market, and examine the steps that have been taken and may be taken to counteract these developments.

Because of changes in workload and staffing limitations, it is not feasible for the Commission to continue the subject investigation at this time. Therefore, the Commission, on its own motion, has hereby terminated the subject investigation.

Notice of the institution of the investigation was published in the Federal Register of February 18, 1982 (47 F.R. 7350).

By order of the Commission.

Issued: April 8, 1982.

KENNETH R. MASON,
Secretary.

Index

U.S. Customs Service

	T.D. No.
Treasury decisions:	
Carrier bonds.....	82-66
Foreign currencies: Daily rates:	
March 1-5, 1982.....	82-67
March 8-12, 1982.....	82-69
March 15-19, 1982.....	82-71
March 22-26, 1982.....	82-75
March 29-31, 1982.....	82-73
Foreign currencies: Variances:	
March 1-5, 1982.....	82-68
March 8-12, 1982.....	82-70
March 15-19, 1982.....	82-72
March 22-26, 1982.....	82-76
March 29-31, 1982.....	82-74
Recordation of Trade Names:	
Bristol-Myers Company	82-77
Clairol Incorporated	82-78
	41

DEPARTMENT OF THE TREASURY
U.S. CUSTOMS SERVICE
WASHINGTON, D.C. 20229

OFFICIAL BUSINESS
PENALTY FOR PRIVATE USE, \$300

POSTAGE AND FEES PAID
DEPARTMENT OF THE TREASURY (CUSTOMS)
(TREAS. 552)



CB SERIALS300SDISSDUE027R 1
SERIALS PROCESSING DEPT
UNIV MICROFILMS INTL
300 N ZEEB RD
ANN ARBOR MI 48106

